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10/697,533

10/30/2003

Alfred T. Rundle

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EXAMINER

KRASNIC, BERNARD

ART UNIT

PAPER NUMBER

2624

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Interview Summary

**Application No.**

10/697,533

**Applicant(s)**

RUNDLE ET AL.

**Examiner**

Bernard Krasnic

**Art Unit**

2624

All participants (applicant, applicant's representative, PTO personnel):

(1) Bernard Krasnic (Examiner). (3) \_\_\_\_\_.

(2) Kathy Chapman (Reg. No. 46,094). (4) \_\_\_\_\_.

Date of Interview: 06 November 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 1, 6, 11, 22 and 30.

Identification of prior art discussed: Ryan (US 7,071,437 B2) and Sansone (US 2002/0141613 A1).

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Bernard Krasnic  
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The Applicant's representative, Ms. Kathy Chapman, wanted to discuss the Non-Final Office Action (filed 8/27/2007) regarding the independent claims and how the prior art references Ryan and Sansone did not read on the claim limitations; Ms. Chapman's actual interview agenda has been attached to this interview summary. In the discussions, the main issue seemed to be in regard to the meaning of the claimed profiles and image characteristics. Ms. Chapman was interpreting and reading the specification's meaning of a profile and image characteristic into the claim, but the Examiner clearly stated that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The Examiner to expedite the prosecution offered a suggestion to try and claim the actual meaning of what the profile and image characteristics might and might not be to try and differentiate the current applications broad claim interpretation from the prior art. The Examiner also suggested to try and maintain the repetition step within each of the independent claims because Ryan doesn't disclose a repetition step as discussed in Applicant's claim 1. The Examiner also suggested to try and incorporate the language of claim 30 into each of the independent claims with appropriate clarification on what and how the archiving and updating is accomplished. The Examiner also clearly stated that even if an amendment following all these three suggestions was filed, the Examiner would still need to further search and consider the amendments before any subject matter could be considered to be allowable.

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# Fax

<b>To:</b> Examiner Bernard Krasnic	<b>From:</b> Kathy Chapman
<b>Fax:</b> 571-270-2357	<b>Pages:</b> 2
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<b>Re:</b> Serial # 10/697,533	<b>CC:</b>

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The proposed agenda for our interview follows:

**Claims 6 and 11:** Ryan simply concludes that a mailpiece is suspect if the mailpiece meets a particular percentage of the criteria stored in the suspect database (Ryan, col. 12, lines 22-24). This is not the same as Applicants' claimed profile including a plurality of selected profile image characteristics because in Ryan, the mailpiece is compared against all the criteria on each pass, without an apparent sorting of criteria into subsets, i.e. Applicants' claimed profiles including selected characteristics.

**Claims 6 and 11:** Ryan nowhere states or suggests that the criteria are members of profiles, nor that they have values, nor that the profiles are each associated with a plurality of actions, as Applicants have claimed. Instead, Ryan simply states that "The suspect database contains various criteria such as the criteria described above (under the heading SUSPECT/HARMFUL MAILPIECES) for determining a suspect mailpiece." (Ryan, col. 12, lines 15-18).

**Claims 6 and 11:** Ryan does not disclose or suggest an action identifier, and, indeed, does not need one. The Applicants' claimed decision process i.e. "if the mail piece image characteristics present in the retrieved data substantially match one of the plurality of predetermined profiles", can be compared to Ryan's comparison at FIG. 9c, ref # S210. Applicants' action identifier identifies a mail piece as requiring one of a plurality of actions *after* the mail piece has been determined to be suspect, i.e. at Ryan, FIG. 9c, ref #s S211 and S212. In fact, neither of steps S211 or S212 either assigns an action identifier or makes use of an action identifier. In step S212, the mailpiece is diverted to collection module 25 by diverter 24. In an alternate embodiment, at step S211, an identification (ID) code 32 is printed on the mailpiece and may be read in subsequent sorting passes. In the alternate embodiment, after step S211, the

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suspect mailpiece 30a is diverted to collection module 25 by diverter 24 (Ryan, col. 12, lines 58-65).

**Claim 1:** On page 3, the Office Action states that Sansone discloses that the mail piece image characteristics are compared with at least two threat indicators or predetermined profiles simultaneously. It is submitted that that Sansone's test is whether any two threat indicators have matched with the data on the mail piece. Sansone is strictly disclose a tally, and nowhere states a simultaneous comparison: "If block 202 determines that there are two items in the mail image that match two threat indicators stored in data base 175" (Sansone, paragraph 42).

**Claims 7, 12, and 23:** Ryan does not state or suggest that the criteria are stored as profiles, nor that the criteria are data such as an identifier or an action identifier. In fact Ryan teaches away from such an interpretation because Ryan lists criteria (Ryan, col. 5, lines 20-65), and the list does not include an identifier or an action identifier. Sansone cannot make up the deficiency in Ryan because not only does Sansone not state Applicants' claimed profiles that include data comprising an identifier, an image characteristic, and an action identifier, but Sansone states particular databases for particular characteristics such as threat characteristics, sender names, etc., and none of these databases is stated to contain anything but the particular characteristic. Thus Sansone neither states nor suggests Applicants' claimed database having an identifier or an action identifier where the database also includes image characteristics.

Thanks very much for your help,

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